

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DANA STEVENS,)	
)	
Plaintiff,)	
)	
v.)	No. 07 C 3319
)	
ORLAND PARK MOTOR CARS, INC.,)	
etc.,)	
)	
Defendant.)	

MEMORANDUM ORDER

Dana Stevens ("Stevens") has filed a Title VII Complaint against her ex-employer Orland Park Motor Cars, Inc., alleging that she was the victim of race discrimination during the course of her employment. This memorandum order is issued sua sponte because of one problematic aspect of the Complaint.

According to Complaint ¶2, the EEOC right-to-sue letter "was mailed out to Stevens on March 12, 2005." That allegation is puzzling, because the 90-day period within which a plaintiff may institute a Title VII lawsuit is measured from the date of receipt by the employee, not the date of mailing by EEOC. And in this instance the action was not brought until June 13, the 93rd day after March 12.

It is thus unclear from the Complaint whether this action was timely filed, and Stevens' counsel is ordered to file, on or before June 25, 2007, an appropriate amendment to the Complaint that identifies the date of Stevens' receipt, coupled with any available proof of that date of receipt as well as copies of

Stevens' charge filed with EEOC in August 2006 and of the right-to-sue letter itself.

In the meantime, given the uncertainty as to the viability of Stevens' claim, this Court is not currently issuing its customary initial scheduling order. That subject will be reviewed promptly after Stevens' compliance with this memorandum order.

A handwritten signature in cursive script, reading "Milton I. Shadur".

Milton I. Shadur
Senior United States District Judge

Date: June 15, 2007